

AMENDED IN SENATE JUNE 12, 2007

AMENDED IN ASSEMBLY MARCH 28, 2007

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CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 112

Introduced by Assembly Member Wolk
(Principal coauthors: Assembly Members Evans, Houston, and
Nakanishi)
(Principal coauthor: Senator Wiggins)

January 8, 2007

An act to ~~add and repeal Section 97.5~~ *amend Section 97* of the Streets and Highways Code, relating to highways, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 112, as amended, Wolk. Highways: Safety Enhancement-Double Fine Zones.

Existing law establishes standards for the designation of a highway or road segment as a Safety Enhancement-Double Fine Zone and requires the Department of Transportation to conduct an evaluation of the zones that will terminate the same calendar year.

~~This bill would state various findings regarding the State Highway Route 12 corridor and would, upon approval of specified county resolutions and until January 1, 2012, designate the segment of State Highway Route 12 between the State Highway Route 80 junction in Solano County and the State Highway Route 5 junction in San Joaquin County.~~ *modify the standards for the designation of a segment of a state highway as a Safety Enhancement-Double Fine Zone including requiring*

the Director of Transportation, in consultation with the Commissioner of the California Highway Patrol, to certify that a segment of state highway meets specified criteria. The bill would provide that designation as a Safety Enhancement-Double Fine Zone would be valid for a minimum of 2 years and would authorize the renewal and revocation of a designation, as specified.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 *SECTION 1. Section 97 of the Streets and Highways Code is*
- 2 *amended to read:*
- 3 97. (a) ~~In order to be designated by statute~~ *The Legislature*
- 4 *may, by resolution, identify a segment of a state highway to be*
- 5 *designated as a Safety Enhancement-Double Fine Zone. If all of*
- 6 *the following criteria are satisfied with respect to that segment of*
- 7 *state highway, the department may designate the segment as a*
- 8 *Safety Enhancement-Double Fine Zone, a highway or road segment*
- 9 *shall have experienced a significant number of traffic accidents,*
- 10 *injuries, and fatalities within the prior three-year period, and other*
- 11 *traffic safety measures that have been undertaken shall have not*
- 12 *appreciably reduced the level of those incidents.:*
- 13 (1) *The Director of Transportation, in consultation with the*
- 14 *Commissioner of the California Highway Patrol, certifies that the*
- 15 *segment meets all of the following:*
- 16 (A) *The highway segment is a two-or three-lane conventional*
- 17 *highway or expressway.*
- 18 (B) *The rate of total collisions per mile per year on the segment*
- 19 *under consideration has been at least 1.5 times the statewide*
- 20 *average for similar roadway types during the most recent*
- 21 *three-year period for which data is available.*
- 22 (C) *The rate of head-on collisions per mile per year on the*
- 23 *segment under consideration has been at least 1.5 times the*
- 24 *statewide average for similar roadway types during the most recent*
- 25 *three-year period for which data is available.*
- 26 ~~(b)~~

1 ~~(2) The concurrence in the designation of the Department of~~
2 ~~the California Highway Patrol or local agency having traffic~~
3 ~~enforcement jurisdiction, as the case may be, shall be required~~
4 ~~prior to designation of the zone pursuant to statute, along with a~~
5 ~~resolution supporting the designation from the city, or county with~~
6 ~~respect to an unincorporated area, in which the segment is located~~
7 ~~has concurred with the designation.~~

8 ~~(e) Each local governing body where a double fine zone is~~
9 ~~designated by statute in its jurisdiction shall, prior to the~~
10 ~~establishment of a double fine zone, do the following:~~

11 ~~(1) Undertake a public awareness campaign to inform the public~~
12 ~~of the double fine zone designation, where it is located, its purpose,~~
13 ~~and its consequences.~~

14 ~~(2) Where appropriate, increased traffic safety enhancements,~~
15 ~~enforcement, and other roadway safety measures shall be~~
16 ~~implemented in coordination with the establishment of the double~~
17 ~~fine zone.~~

18 ~~(3) The governing board of each city, or county with respect to~~
19 ~~an unincorporated area, in which the segment is located has by~~
20 ~~resolution indicated that it supports the designation.~~

21 ~~(4) An active public awareness effort to change public behavior~~
22 ~~is ongoing either by the local agency with jurisdiction over the~~
23 ~~segment or by another state or local entity.~~

24 ~~(5) Other traffic safety enhancements, including, but not limited~~
25 ~~to, increased enforcement and other roadway safety measures, are~~
26 ~~in place or are being implemented concurrent with the designation~~
27 ~~of the Safety Enhancement-Double Fine Zone.~~

28 ~~(b) Designation of a segment as a Safety Enhancement-Double~~
29 ~~Fine Zone by the department shall be done in writing and a written~~
30 ~~notification shall be provided annually to the court with jurisdiction~~
31 ~~over the area in which the highway segment is located. The~~
32 ~~designation shall be valid for a minimum of two years from the~~
33 ~~date of submission to the court. After the two-year period,~~
34 ~~designation shall be renewed, in which case an updated notification~~
35 ~~shall be sent to the court, unless revoked pursuant to subdivision~~
36 ~~(c).~~

37 ~~(c) If at any time following the designation, the department, in~~
38 ~~consultation with the Department of the California Highway Patrol,~~
39 ~~determines that any of the criteria in subdivision (a) no longer~~
40 ~~apply to a segment designated as a Safety Enhancement-Double~~

1 *Fine Zone under this section, the department shall revoke the*
2 *designation and the segment shall cease to be a Safety*
3 *Enhancement-Double Fine Zone.*

4 (d) A Safety Enhancement-Double Fine Zone is subject to the
5 rules and regulations adopted by the department prescribing
6 uniform standards for warning signs to notify motorists that,
7 pursuant to Section 42010 of the Vehicle Code, increased penalties
8 apply for traffic violations that are committed within a Safety
9 Enhancement-Double Fine Zone.

10 (e) (1) The department or the local authority having jurisdiction
11 over these highway and road segments shall place and maintain
12 the warning signs identifying these segments by stating that a
13 “Special Safety Zone Region Begins Here” and a “Special Safety
14 Zone Ends Here.” ~~The department shall adopt rules and regulations~~
15 ~~for the administration of a Safety Enhancement-Double Fine Zone~~
16 ~~under this section.~~

17 (2) *Increased penalties shall apply to violations under Section*
18 *42010 of the Vehicle Code only if appropriate signage is in place*
19 *pursuant to this subdivision.*

20 (3) *If designation as a Safety Enhancement-Double Fine Zone*
21 *is revoked pursuant to subdivision (c), the department shall be*
22 *responsible for removal of all signage placed pursuant to this*
23 *subdivision.*

24 (f) Safety Enhancement-Double Fine Zones do not increase the
25 civil liability of the state or local authority having jurisdiction over
26 the highway segment under Division 3.6 (commencing with Section
27 810) of Title 1 of the Government Code or any other provision of
28 law relating to civil liability.

29 (1) Only the base fine shall be enhanced pursuant to this section.

30 (2) Notwithstanding any other provision of law, any additional
31 penalty, forfeiture, or assessment imposed by any other statute
32 shall be based on the amount of the base fine before enhancement
33 or doubling and shall not be based on the amount of the enhanced
34 fine imposed pursuant to this section.

35 (g) The projects specified as a Safety Enhancement-Double
36 Fine Zone shall not be elevated in priority for state funding
37 purposes.

38 ~~(h) The term for a Safety Enhancement-Double Fine Zone shall~~
39 ~~be limited to four years.~~

1 ~~(1) The Department of Transportation shall conduct an~~
2 ~~evaluation of the effectiveness of all double fine zones that will~~
3 ~~terminate the same calendar year and submit its findings in one~~
4 ~~report to the Assembly Committee on Transportation and the~~
5 ~~Senate Committee on Transportation and Housing one year prior~~
6 ~~to the termination of the double fine zones. The report shall include~~
7 ~~a recommendation on whether the zones should be reauthorized~~
8 ~~by the Legislature.~~

9 ~~(h) The requirements of subdivision (a) shall not apply to the~~
10 ~~Safety Enhancement-Double Fine Zone established prior to the~~
11 ~~effective date of this subdivision pursuant to Section 97.4.~~

12 ~~SECTION 1. The Legislature hereby finds and declares all of~~
13 ~~the following:~~

14 ~~(a) The collective goal of the Department of the California~~
15 ~~Highway Patrol, the Department of Transportation, the Solano~~
16 ~~Transportation Authority, the County of Solano, the San Joaquin~~
17 ~~Council of Governments, the Solano County Sheriff's Department,~~
18 ~~and local traffic and safety personnel from the County of Solano~~
19 ~~and the Cities of Fairfield, Rio Vista, and Suisun City is to improve~~
20 ~~safety on the State Highway Route 12 corridor by reducing traffic~~
21 ~~accidents, injuries, and fatalities.~~

22 ~~(b) During the last decade, the collision and fatality rate on State~~
23 ~~Highway Route 12 has increased from 60 percent to over 100~~
24 ~~percent of the statewide average for similar routes.~~

25 ~~(c) Since 2001, there have been 802 collisions, 494 injuries, and~~
26 ~~21 fatalities on State Highway Route 12, including three fatal~~
27 ~~accidents in 2006 and already three fatal accidents in 2007.~~

28 ~~(d) The Department of the California Highway Patrol has~~
29 ~~prioritized State Highway Route 12 as one of its top requests for~~
30 ~~safety corridor project funding for 2007-08. Although this~~
31 ~~prioritization will help in the short-term, more needs to be done.~~

32 ~~(e) The Department of Transportation is in the process of~~
33 ~~constructing 12.7 miles of horizontal and vertical curve corrections;~~
34 ~~shoulder widening, median and shoulder rumble strips, and~~
35 ~~pavement rehabilitation. In addition, the Solano Transportation~~
36 ~~Authority, in partnership with the Department of Transportation,~~
37 ~~is evaluating the long-term need for a concrete median barrier.~~
38 ~~However, these safety enhancements cannot be delivered soon~~
39 ~~enough to assuage the potential for more horrific collisions and~~
40 ~~fatalities.~~

1 ~~(f) Therefore, it is the intent of the Legislature to establish a~~
2 ~~double-fine zone on the State Highway Route 12 corridor as part~~
3 ~~of a short-term solution to raise public awareness and curb~~
4 ~~collisions, injuries, and fatalities, until the construction of safety~~
5 ~~enhancements is completed.~~

6 ~~SEC. 2. Section 97.5 is added to the Streets and Highways~~
7 ~~Code, to read:~~

8 ~~97.5. (a) The segment of State Highway Route 12 between~~
9 ~~the State Highway Route 80 junction in Solano County and the~~
10 ~~State Highway Route 5 junction in San Joaquin County shall be~~
11 ~~designated as a Safety Enhancement-Double Fine Zone upon the~~
12 ~~approval of resolutions in that regard by the counties in which the~~
13 ~~segment is located.~~

14 ~~(b) This section shall remain in effect only until January 1, 2012,~~
15 ~~and as of that date is repealed, unless a later enacted statute, that~~
16 ~~is enacted before January 1, 2012, deletes or extends that date.~~

17 ~~SEC. 3.~~

18 ~~SEC. 2.~~ This act is an urgency statute necessary for the
19 immediate preservation of the public peace, health, or safety within
20 the meaning of Article IV of the Constitution and shall go into
21 immediate effect. The facts constituting the necessity are:

22 In order to *establish a process* to reduce collisions, injuries, and
23 fatalities and to address the urgent need for additional safety
24 measures along the State Highway Route 12 corridor segments of
25 state highways, it is necessary that this act take effect immediately.